

**LEGAL ACTION REPORT  
TUCSON POLICE AND FIRE  
PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM BOARDS  
MEETING OF MONDAY, SEPTEMBER 8, 2008  
CITY OF TUCSON FINANCE DEPARTMENT CONFERENCE ROOM  
FIFTH FLOOR OF CITY HALL 255 W. ALAMEDA, TUCSON, AZ  
9:00 A.M.**

**1. ROLL CALL**

Police Board Members:

Robert Walkup - Chair  
Marion Pickens - Member  
Joe Ladenburg - Member  
Mike Gurr - Member  
JD Kragnes - Member

Fire Board Members:

Robert Walkup - Chair  
Marion Pickens - Member  
Joe Ladenburg - Member  
Brian Delfs - Member  
Roger Tamietti - Member

**2. POLICE CONSENT AGENDA: ITEMS A – H**

A. MINUTES FOR APPROVAL – 08/05/08

B. PENSION PAYROLL – Addition of Normal Service Retirement for Richard Harper out of DROP in the amount of \$6,464.12. Addition of Normal Service Retirement for Christopher Miller in the amount of \$3,505.63. Addition of Normal Service Retirement for Raymond Thompson out of DROP in the amount of \$2,739.08. Addition of Permanent Accidental Disability Benefits for Charlotte Bilang in the amount of 3,852.27. Addition of Permanent Accidental Disability Benefits for Gary DeSoto (amount pending). Addition of Permanent Accidental Disability Benefits for Tanya Merrill in the amount of 2,559.90. Deletion of child's benefits for Ryan Danaher retro to January 2008 in the amount of \$509.92. Deletion of child's benefits for Kathryn Hope, she will turn 23 on September 17, 2008 in the amount of \$176.04. Deletion of Normal service retirement benefit for Richard Settlemire in the amount of \$1,410.76 and Split benefit for Kathleen J. Settlemire in the amount of \$1,410.73 due to his death on 08/19/08 and addition of Survivor's benefit for Nancy M. Rhoades Settlemire for \$2,257.19.

C. PERMANENT ACCIDENTAL DISABILITY RETIREMENT  
Charlotte Bilang – Last day worked 08/29/08 – Pension effective 09/01/08  
Gary DeSoto – Last day worked 08/06/08 – Pension effective 09/01/08  
Tanya Merrill – Last day worked 08/29/08 – Pension effective 09/01/08

- D. NORMAL SERVICE RETIREMENT  
Richard Harper – Last day worked 08/29/08 – Pension effective 09/01/08  
Christopher Miller – Last day worked 08/15/08 – Pension effective 09/01/08  
Raymond Thompson - Last day worked 08/28/08 – Pension effective 09/01/08
- E. SURVIVORS BENEFIT  
Nancy M. Rhoades Settlemire – Richard passed away on 08/19/08
- F. REDEMPTION OF PRIOR SERVICE  
Christopher Miller – 1.492 years of prior service with the New Jersey State Police in the amount of \$66,289.00.  
Lori Pluchinsky – 4.000 years of prior service with the Military in the amount of \$39,267.00.  
Ray Rede – 0.38 years of prior service with the Winslow Police in the amount of \$770.00.
- G. EXPENDITURE STATEMENT IN THE AMOUNT OF \$700.00 FOR APPLICATION PHYSICAL for Lynn Sharp, Charlotte Bilang and ANNUAL PHYSICAL for Jeffrey Thielen by Dr. Dennis Thrasher at Sunnyside Medcenter.
- H. RETAINER FEE OF \$400 PLUS COSTS-DAVID McEVOY, ATTORNEY

**MOTION** by Mr. Kragnes seconded by Mr. Gurr that Police Board Items A – H are adopted with changes as noted and the appropriate action taken. Motion **CARRIED** by a roll call vote of 4-0. (Ms. Pickens absent/excused).

### 3. FIRE CONSENT AGENDA: ITEMS A – F

- A. MINUTES FOR APPROVAL – 08/05/08
- B. PENSION PAYROLL - Addition of Normal Service Retirement for James B. Clark out of DROP in the amount of \$4,693.26. Deletion of Edgar Hagan due to his death on 08/07/08 in the amount of \$2,431.26.
- C. NORMAL SERVICE RETIREMENT  
James Clark – Last day worked 08/30/08 – pension effective 09/01/08
- D. DEFERRED RETIREMENT OPTION  
Robert Denst - Election to participate in the DROP 08/31/08

E. REDEMPTION OF PRIOR SERVICE

Marvin Makus – 2.000 years of prior service with the Military in the amount of \$28,851.00.

Richard Quezada – 1.571 years of prior service with the Military in the amount of \$27,452.00.

F. RETAINER FEE OF \$400 PLUS COSTS-DAVID McEVOY, ATTORNEY

**MOTION** by Mr. Delfs seconded by Mr. Tamietti that Police Board Items A – F are adopted with changes as noted and the appropriate action taken. Motion **CARRIED** by a roll call vote of 4-0. (Ms. Pickens absent/excused).

4. APPLICATION FOR DISABILITY RETIREMENT

**EXECUTIVE SESSION - Discussion or consideration of records exempt by law from public inspection A.R.S. 38-431.03[2] and discussion or consultation for legal advice with attorney staff A.R.S. 38-431.03 (A [3 & 4])**

**Police** – Attachments

Phase One

Veronica Morken - Medical Packet Permanent Accidental Disability Application

Phase Two

James Parks – Application for Permanent Accidental Disability from Temporary Disability

Phase Three

John M. Cammarano – Physicians Letter

There was no executive session.

5. APPLICATION FOR DISABILITY RETIREMENT

**Direction regarding Executive Session**

Phase One

Veronica Morken

**MOTION** by Mr. Kragnes, seconded by Mr. Gurr that based on the medical evidence presented by Ms. Morken make an appointment with the Board Physician for a review to determine if he is eligible for a Permanent Accidental Disability retirement. Motion **CARRIED** Unanimously.

Phase Two  
James Parks

**MOTION** by Mr. Kragnes, seconded by Mr. Gurr that based on the medical evidence presented by Mr. Parks make an appointment with the Board Physician for another review to determine if he is now eligible for a Permanent Accidental Disability retirement instead of a Temporary Disability. Motion **CARRIED** Unanimously.

Phase Three  
John M. Cammarano

**MOTION** by Mr. Kragnes, seconded by Mr. Gurr that based on the medical evidence provided and letters by Dr. Thrasher the Board approve the application for permanent disability retirement for Mr. John Cammarano to be effective upon separation from the Police Department. Motion **CARRIED** Unanimously.

6. **CONSIDERATION OF RULE 17 – ANNUAL PHYSICAL EXECUTIVE SESSION Discussion or consideration of records exempt by law from public inspection A.R.S. 38-431.03[2] and discussion or consultation for legal advice with attorney staff A.R.S. 38-431.03 (A [3 & 4])**

**Police** – Attachments

Tim Petersen - DOR: 10/30/07 DOH: 04/01/95 Last Physical: 09/26/07

There was no executive session.

7. **CONSIDERATION OF RULE 17 – ANNUAL PHYSICAL Board Direction Regarding Executive Session**

**Police**

Tim Petersen

**MOTION** by Mr. Kragnes, seconded by Mr. Gurr that keeping with Board Policy, that Mr. Tim Petersen has complied with Rule 16 and is not required to take a physical examination this year but will be reviewed in one year. Motion **CARRIED** Unanimously.

8. **PSPRS BOARD OFFICE RELOCATION**

**Police & Fire** – September 24<sup>th</sup>, 2008

There was no action taken.

**9. FUND INFORMATION**

**Police & Fire**

There was no action taken.

**10. ADJOURNMENT**

**MOTION** by Mr. Gurr, seconded by Mr. Kragnes to adjourn. Motion **CARRIED** unanimously.

**MOTION** by Mr. Delfs, seconded by Mr. Tamietti to adjourn. Motion **CARRIED** unanimously.

The next regular meeting of the Tucson Police and Fire Public Safety Personnel Retirement System Boards is scheduled for **9:00 A.M.** on Tuesday, October 14, 2008 in the Finance Department Conference Room, Fifth floor of City Hall, 255 W. Alameda, Tucson, AZ.